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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/509,475	09/29/2004	Marten Erik Van Dijk	NL 020268	5687	
24737 7590 12/26/2006 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001			EXAMINER		
			TORRES, JOSEPH D		
BRIARCLIFF MANOR, NY 10510			ART UNIT	PAPER NUMBÉR	
			2133		
SHORTENED STATUTORY	PERIOD OF RESPONSE	MAIL DATE	DELIVER	Y MODE	
31 DA	AYS	12/26/2006	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

, <u> </u>	Office Action Summary		Application No.	Applicant(s)				
Joseph D. Torres  Joseph D. T			10/509,475	VAN DIJK ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Catantization for many by a maintain under the provision of 37 CPT 1.13(a), in no event, however, may a regly by te triety filled to the communication of 37 CPT 1.13(a), in no event, however, may a regly by the triety filled 1.1 NO period for regly is specified above, the maximum satulatory period will apply and will expire 3X (b) MONTHS from the maining date of this communication. Fallules to regularly which the side or extended period for righty will by statutic, each the application to stoom ABANDONED 28 U.S. € 3 130.  Status  Status    1)			Examiner	Art Unit				
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Entensions of tem rapy be waited under the provided of 37 EPT 1.15(a). In a overal, however, may a reply be timely find after 5X (s) MONTHS from the maining date of the communication.  Failth for right within the soft excluded period for right with the soft excluded period for right. A right with the soft excluded period for right. By all liquid the provided by the Citical bear than these months after the mailing date of this communication, even if timely filed, may reduce almy seamed plastic tem adjustment, See 37 CFR 1.74(b).  Status  1) □ Responsive to communication(s) filed on 27 July 2005.  2a) □ This action is FINAL.  2b) □ This action is non-final.  3 □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) □ Claim(s) 1-16 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) □ Claim(s) is/are allowed.  6□ Claim(s) 1-16 is/are subject to restriction and/or election requirement.  Application Papers  9) □ The specification is objected to by the Examiner.  10) □ The drawing(s) filed on is/are: a) □ accepted or b) □ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) to held in abeyance. Sea 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. Sea 37 CFR 1.121(d).  11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12] □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) □ Certified copies of the priority documents have been received.  2 □ Certified copies of the priority documents have been	Period fo	The MAILING DATE of this communication ap or Reply	pears on the cover sheet with the	correspondence address				
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Application/Control Number: 10/509,475

Art Unit: 2133

## **DETAILED ACTION**

## Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-10 and 12, drawn to A method and apparatus for encoding.

Group II, claim(s) 11 and 13, drawn to A method and apparatus for decoding.

Group III, claim(s) 14, drawn to A storage medium.

Group IV, claim(s) 15, drawn to A signal.

Group V, claim(s) 16, drawn to A computer program.

The inventions listed as Groups I to IV do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: Group I is directed to A method and apparatus for encoding, Group II is directed to A method and apparatus for decoding, Group III is directed to a different statutory class of invention - A storage medium, Group IV is directed to a different statutory class of invention - A signal and Group V is directed to a different statutory class of invention - A computer program. Note: groups III to V are not even statutory classes of invention under 35 U.S.C. 101.

A telephone call was made to Edward G. Goodman on 12/8/2006 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the

requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Torres whose telephone number is (571) 272-3829. The examiner can normally be reached on M-F 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Joseph D. Torres, PhD Primary Examiner Art Unit 2133

PRIMARY EXAMINER